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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/995,371	11/26/2001	Daniel J. Rice	24359-012

CONFIRMATION NO. 1817

FORMALITIES LETTER



OC00000007193588

MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY and POPEO, P.C.
One Financial Center
Boston, MA 02111

Date Mailed: 12/14/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

*A copy of this notice **MUST** be returned with the reply.*

ZH
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/18/2002 MBERHE 00000062 09995371

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Express Mail No. EL862123562002

Date of Deposit: March 12, 2002

Attorney Docket No. 24359-012



IN THE UNITED STATES PATENT AND TRADEMARK

Applicants: Robert F. Cruickshank III, et al.
Serial No.: 09/995,371
Filed: November 26, 2001
For: NETWORK PERFORMANCE DETERMINING
Examiner: Not yet assigned
Art Unit: 2661

BOX MISSING PARTS

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir: TRANSMITTAL LETTER

Enclosed herewith for filing in the above-identified patent application please find the following listed items:

1. Response to Notice to File Missing Parts;
2. Part 2 of Notice to File Missing Parts of Non-provisional Application;
3. Missing parts surcharge fee in the amount of \$65.00 (#12018);
4. Return Postcard.

In connection with the foregoing matter, please charge any additional fees which may be due, or credit any overpayment, to Deposit Account Number 50-0311, Reference 24359-012. A duplicate copy of this letter is provided for this purpose.

Respectfully submitted,

Shane H. Hunter
Shane H. Hunter

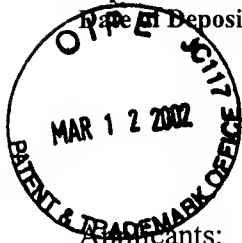
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Date: March 12, 2002

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Express Mail No. EL862123562

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Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

Responsive to the Notice To File Missing Parts dated December 14, 2001 in the above-referenced patent application, Applicants submit herein payment of a late filing fee or oath or declaration surcharge of \$65.00 (check # 12018) along with the Combined Declaration and Power of Attorney executed by the inventor.

Also enclosed is Part 2 of the Notice to File Missing Parts of Non-Provisional Application and return postcard.

Respectfully submitted,

A handwritten signature in black ink that reads "Shane H. Hunter".

Shane H. Hunter
Registration No. 41,858
Attorneys for Applicants
Mintz, Levin, Cohn, Ferris,
Glovsky and Popeo, P.C.
One Financial Center,
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Telephone 617/348-1765

Date: March 12, 2002